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**APR 27 2005**

In re Application : **OFFICE OF PETITIONS**  
Mori, et al. :  
Application No. 09/943,229 : PATENT TERM ADJUSTMENT  
Filed: August 30, 2001 :  
Dkt. No.: 564131/0023 :

This is a decision on the "APPLICATION FOR PATENT TERM ADJUSTMENT (37 C.F.R. § 1.705)," timely filed June 15, 2004. This request is being treated under 37 C.F.R. § 1.705(b).

The application for patent term adjustment ("PTA") under 37 C.F.R. § 1.705(b) is **GRANTED AS INDICATED HEREIN.**

The Office will adjust the PAIR screen to reflect that the Patent Term Adjustment (PTA) determination at the time of mailing of the Notice of Allowance and Issue Fee Due reflects an adjustment of 562 days. A copy of the updated PAIR screen showing the correct determination is enclosed.

Applicants request that the Determination of Patent Term Adjustment be corrected from 0 days as indicated on the Determination of Patent Term Adjustment mailed June 1, 2004 to 579 days.

A review of the application history reveals that an adjustment of 580 days under 37 C.F.R. § 1.702(a)(1) can be attributed to the Office. In accordance with 37 CFR 1.703(a)(1), the adjustment began October 31, 2002, the day after the date that is fourteen months after the date on which the application was filed, and ended June 1, 2004, the date the Notice of Allowance was mailed.

In accordance with 37 C.F.R. § 1.704(b), the adjustment of 580 days is reduced 18 days for applicants' delay. The delay began January 5, 2002, the day after the date that is three months from the mail date of the Notice of Incomplete Nonprovisional Application ("Notice") mailed October 4, 2001, and ended January 22, 2002, the date a reply to the Notice was filed.

In view thereof, the adjustment of 580 days is reduced 18 days for applicants delay. Thus, the application is entitled to a patent term adjustment of 562 days.

The required fee of \$200.00 for an application for patent term adjustment has been charged to Deposit Account No. 19-4709 as authorized in the instant petition.

This application is being forwarded to the Office of Patent Publication for processing into a patent.

Telephone inquiries specific to this matter should be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.

*Karin Ferriter*  
Karin Ferriter *for*  
Senior Legal Advisor  
Office of Patent Legal Administration  
Office of Deputy Commissioner  
for Patent Examination Policy

Enclosure: Copy of Adjustment PAIR Calculation